

Applic. No. 10/033,127

Amdt. dated July 21, 2004

Reply to Office action of May 21, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-5, 7-10, and 12 remain in the application. Claims 1, 10, and 12 have been amended.

In item 2 on page 2 of the Office action, claims 1-4, 7-10, and 12 have been rejected as being obvious over Jeschke et al. (U.S. Patent No. 4,089,264) (hereinafter "Jeschke") in view of Dini (U.S. Patent No. 3,964,386) and Olawsky et al. (U.S. Patent No. 5,842,416) (hereinafter "Olawsky") under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 18, lines 8-16 of the specification.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1, 10, and 12 call for, *inter alia*:

a plurality of glazing rollers disposed downline from the metering element along a peripheral line of the roller, each of the glazing rollers being in rolling contact exclusively with the roller.

As noted in the response filed on February 19, 2004, the corporate assignee of the Jeschke and Olawsky references is also the corporate assignee of the instant application. Therefore, applicant is very familiar with these references.

The Olawsky reference discloses that in a short inking unit, a single rider roller is thrown onto the applicator roller downstream from the doctor blade (column 1, lines 37-39). Once again it is noted that the above-described disclosure found in Olawsky pertains to the disclosure of the periodical Deutscher Drucker and does not pertain to the inking unit of Olawsky.

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It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest a plurality of glazing rollers disposed downline from the metering element along a peripheral line of the roller, each of the glazing rollers being in rolling contact exclusively with the roller, as recited in claims 1, 10, and 12 of the instant application.

In Olawsky a single rider roller is disclosed. This is contrary to the invention of the instant application as claimed, in which a plurality of glazing rollers are disposed downline from the metering element along a peripheral line of the roller, each of the glazing rollers being in rolling contact exclusively with the roller.

Neither Dini nor Jeschke disclose a plurality of glazing rollers.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

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Furthermore, a person of ordinary skill in the art has no motivation to provide Jeschke with a plurality of glazing rollers. A person of ordinary skill in the art will always attempt to keep the number of components and consequently the production costs as low as possible. Therefore, a person of ordinary skill in the art does not have any motivation to provide Jeschke with a plurality of glazing rollers or to provide the short inking unit of the periodical Deutscher Drucker (cited in Olawsky) with more than one rider roller as recited in the claims of the instant application.

Since claim 1 is believed to be allowable, dependent claims 2-4, 7-9 are believed to be allowable as well.

In item 3 on page 5 of the Office action, claim 5 has been rejected over Jeschke (U.S. Patent No. 4,089,264) in view of Dini (U.S. Patent No. 3,964,386) and Olawsky (U.S. Patent No. 5,842,416) and further in view of Cappel et al. (U.S. Patent No. 3,913,479) under 35 U.S.C. § 103. Cappel et al. do not make up for the deficiencies of Jeschke, Olawsky, and Dini. Since claim 1 is believed to be allowable, dependent claim 5 is believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either

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show or suggest the features of claims 1, 10, or 12. Claims 1, 10, and 12 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-5, 7-10, and 12 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,



For Applicant(s)

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